

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Civil Case No. 24-cv-12780
Honorable

vs.

2020 Dodge Ram 3500 truck, Vin No.
3C63R3KL0LG221746,

Defendant *in rem*.

COMPLAINT FOR FORFEITURE

NOW COMES Plaintiff, the United States of America, by and through Dawn Ison, United States Attorney for the Eastern District of Michigan, and Kelly Fasbinder, Assistant United States Attorney, and states upon information and belief in support of this Complaint for Forfeiture *in rem* that:

JURISDICTION AND VENUE

1. This is an *in rem* civil forfeiture action pursuant to 8 U.S.C. § 1324(b)(1), due to violations of 8 U.S.C. § 1324(a)(1)(A)(ii).
2. The Court has original jurisdiction over this proceeding pursuant to 28 U.S.C. § 1345 as this action is being commenced by the United States of America as Plaintiff.

3. This Court has *in rem* jurisdiction over this forfeiture action, pursuant to 28 U.S.C. § 1355(b)(1)(A) and (B), as the acts giving rise to the forfeiture occurred in the Eastern District of Michigan.

4. Venue is proper before this Court pursuant to 28 U.S.C. § 1391(b)(2), as a substantial part of the events or omissions giving rise to the Plaintiff's claims occurred in the Eastern District of Michigan.

5. Venue is also proper before this Court pursuant to 28 U.S.C. § 1395(b), as the Defendant *in rem* was found and seized in the Eastern District of Michigan.

DEFENDANT IN REM

6. The Defendant *in rem* consists of and is specifically described as a 2020 Dodge Ram 3500 truck, Vin No. 3C63R3KL0LG221746.

7. Members of the U.S. Customs and Border Protection ("CBP") seized the Defendant *in rem* in Marysville, Michigan on May 26, 2024.

8. The Defendant *in rem* is currently in the custody of CBP.

STATUTORY BASIS FOR CIVIL FORFEITURE

9. Pursuant to 8 U.S.C. § 1324(a)(1)(A)(ii), it is unlawful for any person who knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, to transport, or move or attempt to transport or move such alien within the United States by means of transportation

or otherwise, in furtherance of such violation of law.

10. Title 8 United States Code, Section 1324(b)(1) authorizes the civil forfeiture of any vehicle that has been or is being used in the commission of a violation of 8 U.S.C. § 1324(a), the gross proceeds of such violation, and any property traceable to such conveyance or proceeds.

FACTUAL BASIS IN SUPPORT OF CIVIL FORFEITURE

11. The Defendant *in rem* was used in the commission of a violation of 8 U.S.C. § 1324(a), and therefore, is subject to civil forfeiture pursuant to 8 U.S.C. § 1324(b).

12. The facts and evidence in support of these assertions include, but are not limited to, the following:

- a. On May 26, 2024, a CBP Border Patrol Agent (BPA) observed a blue Dodge Ram truck enter the Marysville boat launch parking lot near the St. Clair River, which serves as the international border between the United States and Canada. The driver of the truck parked, exited the truck, and walked towards the boat launch and docks.
- b. Within a couple of minutes, the BPA observed the driver return to the truck with five individuals. All six individuals got into the truck and drove away.

- c. A few minutes later a BPA executed a traffic stop of the truck. The five passengers presented foreign identification cards, said they did not have immigration documents to be or remain in the United States legally, and admitted to having just crossed the St. Clair River together in a boat from Canada.
- d. The driver of the truck was identified as Ovidiu Christian Suciu.
- e. On September 17, 2024, before the United States District Court for the Eastern District of Michigan, Suciu pleaded guilty to his conduct on May 26, 2024. Specifically, Suciu pleaded guilty to Transporting Illegal Aliens in violation of 8 U.S.C. § 1324(a)(1)(A)(ii).

CLAIM

13. The United States hereby incorporates by reference, repeats and re-alleges, each and every allegation contained in Paragraphs 1 through 12 above, including their subparts.

14. The Defendant *in rem* is forfeitable to the United States of America under 8 U.S.C § 1324(b)(1) as a vehicle that was used in the commission of a violation of 8 U.S.C. § 1324(a).

CONCLUSION AND RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) that a Warrant of Arrest for the Defendant *in rem* be issued;

(b) that notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed;

(c) that judgment be entered declaring that the Defendant *in rem* be condemned and forfeited to the United States for disposition according to law; and

(d) that the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

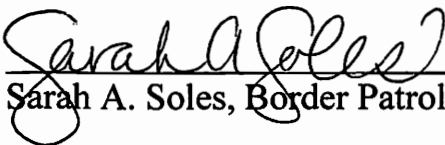
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Dated: October 21, 2024

VERIFICATION

I, Sarah A. Soles, state that I am a Border Patrol Agent with the United States Border Patrol, U.S. Department of Homeland Security. I have read the foregoing Complaint for Forfeiture and declare under penalty of perjury that the facts contained therein are true and correct based upon knowledge possessed by me and/or upon information received from other law enforcement agents.



Sarah A. Soles, Border Patrol Agent

Dated: October 18, 2024